

1 CHRISTIAN J. MARTINEZ (CA State Bar No. 215360)
2 2500 Dean Leshner Drive, Suite A
3 Concord, CA 94520
4 Telephone: (925) 689-1200
5 Facsimile: (925) 689-1263
6 cmartinez@copypro.com

7 RICHARD ESTY PETERSON (CA State Bar No. 41013)
8 1905-D Palmetto Avenue
9 Pacifica, CA 94044
10 Telephone: (650) 557-5708
11 Facsimile: (650) 557-5716
12 sfreptile@mac.com

13 Attorneys for Plaintiff
14 WORDTECH SYSTEMS, INC.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WORDTECH SYSTEMS INC.,

19 Plaintiff,

20 v.

21 MICROTECH SYSTEMS, INC., a California
22 corporation, CORWIN NICHOLS, AT EASE
23 COMPUTING, INC., BROWARD MICROFILM,
24 INC., BUSINESS TEK, INC., CRANEL, INC.
25 d/b/a CRANEL IMAGING, ELECTRIC PICTURE
26 COMPANY, INC., d/b/a TAPEONLINE, GRA
27 PACKAGING SERVICES OF ROCHESTER, INC
28 d/b/a SPINERGY, MASTER RECORDING
SUPPLY, INC., PROACTION NETWORK, LLC.,
d/b/a PROACTION MEDIA, RESOURCE DATA
PRODUCTS INC., SAS-WEBTRONICS,
STORAGE HEAVEN, TERA-STORAGE
SOLUTION, INC., THE TAPE COMPANY LLC
and DOES 1-15,

Defendants.

Case No.: C-08-04027 MHP

**STIPULATION AND ORDER THEREON;
JOINT DECLARATION UNDER LR 6-2**

**JUDGE: HON. MARILYN HALL PATEL
TRIAL DATE: NONE**

//

//

1 WHEREAS eight of fifteen defendants have been served and the Complaint and Summons are
2 still out for service for the remaining defendants;

3 WHEREAS the case management conference is currently set for Monday, January 5, 2009 at
4 4:00 p.m.;

5 WHEREAS it is anticipated that Hornstein Law Offices, Prof. Corp. will represent multiple
6 defendants and in the interest of judicial economy and economy to the parties, may file a combined
7 response on behalf of several defendants once all defendants have been served;

8 WHEREAS a Joint Declaration under LR 6-2 is appended hereto;

9 THEREFORE, THE PARTIES HEREBY STIPULATE that the case management conference
10 currently set for January 5, 2009 be continued to Monday, February 9, 2009. Plaintiff WORDTECH
11 further stipulates that Hornstein Law Offices, Prof. Corp. may file one or more combined response(s)
12 on behalf of the several defendants it represents, or will represent, 20-days after service of the last of
13 the defendants it represents, or will represent, regardless of when the preceding defendants were
14 actually served.

15 s/ Christian J. Martinez /s

16 Christian J. Martinez
17 Attorney for Plaintiff

18 s/ Val D. Hornstein /s

19 Val D. Hornstein
20 Attorney for Defendants, Microtech Systems,
21 Corwin Nichols and yet to be determined other
22 defendants

23 GOOD CAUSE EXISTS AND IT IS HEREBY ORDERED THAT the case management
24 conference currently set for Monday, January 5, 2009 is continued to Monday, February 9, 2009 at
25 4:00 p.m. A Joint Case Management Statement is due ten days prior to the conference.

26 IT IS SO ORDERED.

27 11/24/2008

28 Judge Marilyn H. Patel

STIPULATION AND ORDER THEREON (CASE NO. 08-cv-04027-MHP)



JOINT DECLARATION OF VAL D. HORNSTEIN & CHRISTIAN J. MARTINEZ
RE PROPOSED ORDER (LR 6-2)

1. I, Christian J. Martinez, am counsel of record for plaintiff Wordtech Systems Inc. I have personal knowledge of the matters set forth in this declaration and could and would competently testify thereto. Eight of fifteen defendants have been served in this case.

2. I, Val D. Hornstein, am counsel of record for defendants Microtech Systems Inc. and Corwin Nichols. I have personal knowledge of the matters set forth in this declaration and could and would competently testify thereto. It is anticipated that my firm will represent many, if not all, of the remaining defendants in this case.

3. The parties, through their counsel, believe that judicial economy and economy to the parties will be best served if Hornstein Law Offices, Prof. Corp. may file one or more combined response(s) on behalf of the several defendants it anticipates representing, 20-days after service of the last of the defendants it represents, or may represent, regardless of when the preceding defendants were actually served. Accordingly, the parties also believe that the Initial CMC should be continued from January 5, 2009 to February 9, 2009 in order to permit the service and response of the remaining defendants and to permit a more meaningful CMC meet and confer process involving all parties to the action.

4. There have been no previous time modifications in this case except from December 16, 2008 to January 5, 2009 upon reassignment from Magistrate Judge Patricia V. Trumbull to Judge Marilyn Hall Patel.

5. Since the case is in its earliest phase and without a case management schedule or trial date, the requested time modification should have no material impact on the case or case schedule.

//

//

1 I declare under penalty of perjury under the laws of the United States that the foregoing is true
2 and correct. Executed at Concord, CA on November 21, 2008.

3
4 s/ Christian J. Martinez /s

5 Christian J. Martinez
6 Attorney for Plaintiff

7
8 I declare under penalty of perjury under the laws of the United States that the foregoing is true
9 and correct. Executed at San Francisco, CA on November 21, 2008.

10
11
12 s/ Val D. Hornstein /s (as authorized on November 21, 2008 by email)

13 Val D. Hornstein
14 Attorney for Defendants, Microtech Systems,
15 Corwin Nichols and yet to be determined other
16 defendants
17
18
19
20
21
22
23
24
25
26
27
28